

ASSEMBLY BILL

No. 10

Introduced by Assembly Member Cristina Garcia

December 5, 2016

An act to add Sections 33319.1 and 66026.5 to the Education Code, and to add Section 50410 to the Health and Safety Code, relating to feminine hygiene products.

LEGISLATIVE COUNSEL'S DIGEST

AB 10, as introduced, Cristina Garcia. Feminine hygiene products: adequate supply: school and college bathrooms and shelters.

Existing law establishes the State Department of Education in state government, and vests the department with specified powers and duties relating to the state's public school system, including encouraging and assisting school districts to improve and monitor the health of their pupils.

This bill would require the department to provide public and private schools, including charter schools, with an adequate supply of feminine hygiene products sufficient to meet the needs of all female pupils and to ensure that female pupils have direct access to feminine hygiene products in school bathrooms.

Existing law, the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by resolution, act to make them applicable.

This bill would require public and private institutions of higher education, including the California State University, each community college district, and the governing board of each independent institution

of higher education, and would encourage the Regents of the University of California, to provide an adequate supply of feminine hygiene products sufficient to meet the needs of female students at each campus in their respective jurisdictions and to ensure that female students have direct access to feminine hygiene products in college bathrooms. By imposing additional duties on community college districts, the bill would impose a state-mandated local program.

Existing law establishes the Department of Housing and Community Development in the Business, Consumer Services, and Housing Agency. The department is responsible for administering various housing and home loan programs throughout the state.

This bill would require the department to ensure that each female occupant of specified emergency housing shelters and domestic violence shelters is provided with an adequate supply of feminine hygiene products.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 33319.1 is added to the Education Code,
- 2 to read:
- 3 33319.1. (a) The department shall provide public and private
- 4 schools, including charter schools, with an adequate supply of
- 5 feminine hygiene products sufficient to meet the needs of all female
- 6 pupils and shall ensure that female pupils have direct access to
- 7 feminine hygiene products in school bathrooms.
- 8 (b) For purposes of this section, “feminine hygiene products”
- 9 means tampons and sanitary napkins for use in connection with
- 10 the menstrual cycle.
- 11 SEC. 2. Section 66026.5 is added to the Education Code, to
- 12 read:

1 66026.5. (a) Public and private institutions of higher education,
2 including the California State University, each community college
3 district, and the governing board of each independent institution
4 of higher education, as defined in subdivision (b) of Section 66010,
5 are required, and the Regents of the University of California are
6 encouraged, to provide an adequate supply of feminine hygiene
7 products sufficient to meet the needs of female students at each
8 campus in their respective jurisdictions and to ensure that female
9 students have direct access to feminine hygiene products in college
10 bathrooms.

11 (b) For purposes of this section, “feminine hygiene products”
12 means tampons and sanitary napkins for use in connection with
13 the menstrual cycle.

14 SEC. 3. Section 50410 is added to the Health and Safety Code,
15 to read:

16 50410. (a) The department shall ensure that each female
17 occupant of a shelter described in Chapter 5 (commencing with
18 Section 18290) of Part 6 of Division 9 of the Welfare and
19 Institutions Code or Chapter 11.5 (commencing with Section
20 50800) is provided with an adequate supply of feminine hygiene
21 products.

22 (b) For purposes of this section, “feminine hygiene products”
23 means tampons and sanitary napkins for use in connection with
24 the menstrual cycle.

25 SEC. 4. If the Commission on State Mandates determines that
26 this act contains costs mandated by the state, reimbursement to
27 local agencies and school districts for those costs shall be made
28 pursuant to Part 7 (commencing with Section 17500) of Division
29 4 of Title 2 of the Government Code.